

News from Rep. Stephanie Herseth

For Immediate Release

Contact: Russ Levsen(Herseth)- 202-226-4449

HERSETH LANDOWNERS' RIGHTS BILL APPROVED BY HOUSE AGRICULTURE COMMITTEE

Herseth Amendment Clarifies, Streamlines Bill

October 7, 2005, Washington, D.C. - The House Agriculture Committee today approved eminent domain legislation to address a recent Supreme Court decision regarding property owner rights. Rep. Stephanie Herseth is the lead democrat on the bill, H.R. 3405, the "Strengthening the Ownership of Private Property (STOPP) Act of 2005." It contains strong provisions to discourage local governments from taking private property for the purpose of private economic development, and includes an amendment offered by Herseth and other legislators to clarify and streamline its language.

Herseth said, "The right to private property ownership is one of our most basic rights as Americans, and it is threatened by the Supreme Court decision in *Kelo v. New London*. I have heard outrage from across South Dakota about the dangerous potential for this decision, and I am proud to take the lead on a legislative solution."

HR 3405 was drafted in response to the Supreme Court ruling in *Kelo v. City of New London* that expanded the ability of governments to take private property and transfer that property to another individual or company.

Specifically, H.R. 3405 mandates that if a state or local government uses eminent domain to take land from one private entity to give to another for economic development purposes, then that state or locality will not be eligible to receive federal economic development assistance. In addition, this legislation will eliminate federal economic development funding for a government if it fails to provide the relocation costs of persons displaced by the use of eminent domain power for economic development purposes.

During today's markup, the Agriculture Committee adopted an amendment in the nature of a substitute offered by Rep. Herseth, Chairman Bob Goodlatte (R-VA), Ranking Member Collin Peterson (D-MN), and Representative Richard Pombo (R-CA) to further clarify the prohibitions of the STOPP Act. The amendment limits the duration of the prohibition to two years for each violation and allows a state or local government to cure the violation by giving the property back to the original owner.

The bill currently has more than 100 bipartisan cosponsors, including Resources Committee Chairman Pombo (R-CA), Rep. Maxine Waters (D-CA) and Rep. Peter DeFazio (D-OR).

#

Congresswoman Stephanie Herseth serves South Dakota in the U.S. House of Representatives. She is a member of the Blue Dog Coalition, a group of moderate Democrats committed to fiscal discipline and strong national security, and is co-chair of the Rural Working Group, which is dedicated to raising the profile of issues important to rural America. She also serves on three committees vital to South Dakota's interests: Agriculture, Veterans' Affairs and Resources.